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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Bryan A. Lauer
FOR : **DECISION TREE LOGIC FOR
DETERMINING THE OPTIMAL VALUE
FOR QoS UPLINK AND DOWNLINK
MAXIMUM BITRATE ATTRIBUTES**
SERIAL NO. : 10/695,086
FILED : October 28, 2003
EXAMINER : Unknown
ART UNIT : 1086
CONFIRMATION NO. : 4158
ATTORNEY DOCKET NO. : LUTZ 2 00242
Case Name/No. Lauer 2

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant submit the following Disclosure Statement concerning art of which the applicant is aware. A copy of PTO-1449 is enclosed herewith.

This Information Disclosure Statement shall not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

The United States Patent and Trademark Office OG Notice dated 12 October 2004 published a final rule revising 37 C.F.R. 1.98 dealing with the content of Disclosure Statements. Paragraph (a)(2) was revised to read in part, "A legible copy of: (i) Each foreign patent; (ii) Each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the

Office." Therefore, Applicant has not enclosed copies of the cited U.S. patents and published patent applications with this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Under § 1.98(a)(3), a concise explanation of relevance is required for information that is not in the English language. Accordingly, the English language documents have no further explanation.

All of the cited and/or included documents were cited by the European Patent Office in a related application(s). A copy of the European Search Report is enclosed.

Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

It is respectfully requested that the attached documents be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

May 2, 2005
Date

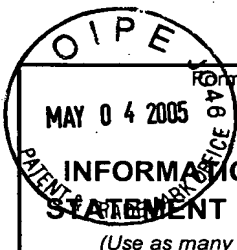
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CERTIFICATE OF MAILING

I certify that this Information Disclosure Statement and accompanying document(s) are being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. 1.8, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
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Date <u>May 2, 2005</u>	Printed Name Roseanne Giuliani



Form 1449/PTO

COMPLETE IF KNOWN

INFORMATION DISCLOSURE STATEMENT BY APPLICANT(S) (Use as many sheets as necessary)	Application Number	10/695,086
	Filing Date	October 28, 2003
	First Named Inventor	Bryan A. Lauer
	Art Unit	1086
	Examiner Name	Unknown
Sheet 1 of 1	Attorney Docket No.	LUTZ 2 00242

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	AA	US-		
	AB	US-		
	AC	US-		
	AD	US-		
	AE	US-		
	AF	US-		
	AG	US-		
	AH	US-		
	AI	US-		
	AJ	US-		
	AK	US-		
	AL	US-		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document Country Code-Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T
	AM	EP 1 096 742 A1	02.05.2001		
	AN	EP 1 276 345 A1	15.01.2003		
	AO				
	AP				

OTHER -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T
	AQ	"3 rd Generation Partnership Project, Technical Specification Group Services and System Aspects, Quality of Service (QoS) Concept and Architecture (Release 5)", 3 GPP TS 23107 V5.9.0, 1 June 2003 (2003-06-01), pages 1040, XP002320126.	
	AR	Communication	
	AS		
	AT		
	AU		
	AV		

Examiner Signature		Date Considered	
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